



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1002 WRIT PETITION NO. 5726 OF 2026

Gajanan Govindrao Munde

Versus

The State Of Maharashtra Through Its
Secretary Co Operation Department And Others

...

Adv. S. S. Tope for the Petitioner

Mr. A. S. Shinde, AGP for State

...

**CORAM : SANDIPKUMAR C. MORE AND
VAISHALI PATIL-JADHAV, JJ.**

DATE : 09.06.2026

PER COURT:

1. Heard learned counsel for the petitioner.
2. The petitioner who is Chairman of Agricultural Produce Market Committee, Kinwat has challenged the notice dated 01.06.2026 issued by the Presiding Officer and Tahsildar, Kinwat for convening special meeting of no-confidence against him.
3. Learned counsel for the petitioner by relying upon Sections 23A(2) and 23A(3) of the Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963, submits that the requisition for bringing such no-confidence motion was not at all addressed to the Collector, as provided, but in fact, it was addressed to the District Deputy Registrar. As such, the provision under sub-section 2 of Section 23A was not followed. Moreover, the meeting convened by the Tahsildar, Kinwat so appointed by the Collector Nanded has been fixed after the statutory period of 15 days. For that purpose, learned counsel has placed reliance on the judgment of this Court in Writ Petition No. 6532 of 2013 at

Nagpur Bench dated 12.12.2013 and also the order dated 25.09.2025 in Writ Petition No. 11750 of 2025 of this Court, wherein it has been observed that notice of convening meeting for no-confidence motion cannot be given to District Deputy Registrar.

4. As against this, learned AGP opposed the submission made on behalf of the petitioner by relying on the judgment in Writ Petition No. 3350 of 2024 dated 30.08.2024 by this Court at Nagpur Bench.

5. It is significant to note that under Section 23A, the notice for bringing no-confidence motion against the Chairman must be issued to the Collector and not any other person. On receiving such notice the Collector shall convene special meeting either by himself or through any officer appointed by him by giving prior intimation to the Chairman and Directors.

6. However, in this matter, there is no requisition is given to the Collector, Nanded and even in the requisition addressed to District Deputy Registrar, nothing is mentioned that the Registrar should intimate Collector about such requisition.

7. Under such circumstances, the meeting which is to be held on 10.06.2026 appears to be convened by giving go-bye to the legal provisions under Section 23A of Maharashtra Agricultural Produce Marketing (Development and Regulation) Act, 1963.

8. In view of the same, issue notice to respondents, returnable on 21.07.2026. Learned AGP waives service for respondent Nos. 1 to 5.

9. In the meantime, there shall be interim relief in terms of prayer clause "E" which reads as thus :

"E. Pending hearing and final disposal of this Petition, kindly grant stay to the impugned notice dated 01/06/2026 issued by the Presiding officer and Tahsildar, Kinwat convening a special meeting of no-confidence against the Petitioner."

10. Stand over to **21.07.2026**.

11. Learned AGP is requested to intimate about this order to respondent No. 4.
12. Parties to act upon authenticated copy of this order duly signed by Sheristedar of this Court.

(VAISHALI PATIL-JADHAV, J.)

(SANDIPKUMAR C. MORE, J.)